

DOCKET SECTION

PRESIDING OFFICER'S
RULING NO. R97-1/64

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268

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OFFICE OF THE PRESIDING OFFICER

Postal Rate and Fee Changes

Docket No. R97-1

PRESIDING OFFICER'S RULING IN PREPARATION FOR HEARINGS

(November 19, 1997)

Presiding Officer's Ruling R97-1/63 announced that the schedule for the appearance of Postal Service witnesses testifying during hearings scheduled for December 1-4, 1997, would be published on November 25, 1997. Participants intending to designate written cross-examination for any of these potential witnesses are to submit designations on or before the dates listed below:

Date for testimony	Date for designations
Dec. 1	Nov. 26
Dec. 2	Nov. 28
Dec. 3	Dec. 1
Dec. 4	Dec. 2

On November 18, 1997, Nashua Photo Inc., District Photo Inc., Mystic Color Lab and Seattle Filmworks, Inc. filed a motion to compel and a request that the time for response to that motion be shortened. The motion concerns discovery addressing a study originally submitted as a library reference which was sponsored as evidence by witness Crum. NDMS seeks a prompt resolution of whether discovery on this topic, and

further cross-examination of witness Crum, if requested, will be permitted. I agree that these questions should be resolved speedily so as to avoid delaying or extending the December 1-4, 1997, hearings.

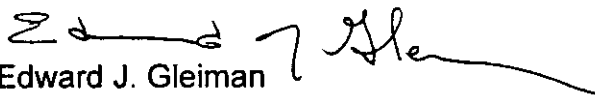
The NDMS motion concerns three interrogatories (NDMS/USPS-T28-27-29). NDMS also requests that its motion to compel be considered applicable to more recently filed discovery (NDMS/USPS-T28-30-41).

RULING

1. Designations of written cross-examination for witnesses appearing December 1-4, 1997, are to be filed consistent with the schedule set forth in the body of this ruling.

2. The Postal Service response to the NDMS motion to compel filed November 18, 1997, is due November 21, 1997.

3. The NDMS motion to compel filed November 18, 1997, shall be considered as applicable to NDMS/USPS-T28-27-41. The Postal Service shall frame its response accordingly.


Edward J. Gleiman
Presiding Officer